

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES DEAN WILKS, ) CASE NO. C08-0386-MJP-MAT  
Plaintiff, )  
v. ) ORDER DENYING DEFENDANTS'  
SGT. STOWERS, et al., ) MOTION TO CONSOLIDATE CASES  
Defendants. )

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Plaintiff has filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, to which defendants have filed an answer. Defendants have recently filed a motion to consolidate this case with another of plaintiff's pending cases, Case No. C07-2084-MJP-MAT. The Court, having considered the motion, does hereby find and ORDER as follows:

(l) Rule 42 of the Federal Rules of Civil Procedure provides that cases may be consolidated if they “involve a common question of law or fact.” Fed. R. Civ. P. 42. Here, defendants contend that because these two actions share four defendants and similar allegations, the actions should be consolidated. (Dkt. No. 19 at 1). Upon review of the record, however, it is apparent that Case No. C08-386-MJP-MAT has twenty-one defendants that it does not share

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01 with Case No. C07-2084-MJP-MAT. Therefore, the two cases do not strike the Court as having  
02 enough in common to warrant consolidation. Accordingly, defendants' motion to consolidate  
03 (Dkt. No. 19) is DENIED.

04 (2) The Clerk is directed to send a copy of this Order to plaintiff and to counsel for  
05 defendants.

06 DATED this 2nd day of September, 2008.

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Mary Alice Theiler  
United States Magistrate Judge